**HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR**
**(DIVISION BENCH)**

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**CORAM : Hon'ble Shri S.R. Nayak, CJ**
**Hon'ble Shri Satish K. Agnihotri, J.**

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**WRIT PETITION No. 6325 OF 2005**

**PETITIONERS**

1. Dr. Keshav Singh Thakur, S/o Samelal Singh, Aged about 57 years, R/o. Gudiyari, Raipur, Tahsil and District Raipur (C.G.)
2. Om Prakash Sharma S/o Late Shri Shrichand Sharma, aged about 45 years, Genearalist, R/o. Near Jain Mandir, Kunkuri, District Jashpur (C.G.)

Versus

**RESPONDENTS**

1. State of Chhattisgarh, Through Secretary, Department of Home Affairs, D.K.S. Bhawan Raipur (C.G.)
2. The Chairman, Chhattisgarh State Wear Housing Corporation, Kunkuri, District Jashpur (C.G.)
3. Managing Director, State Wear Housing Corporation, Raipur (C.G.)
4. Assistant Inspector General of Police State Economic Offence Bureau, Raipur (C.G.)
5. Union of India, Through Director, Central Bureau of Investigation, Delhi
6. Managing Director, Chhattisgarh State Civil Supply Corporation, Kunkuri, District Jashpur (C.G.)

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**Present:**

Mr. Goutam Khetrapal, learned counsel for the petitioners.

Mr. Bhishma Kinger, learned standing counsel for Union of India/respondent No. 5.

Mr. Prashant Mishra, learned Addl. Advocate General with Mr. Sumesh Bajaj, learned Dy. G.A. for State.

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**ORAL ORDER**
**(Passed on 15th of December 2005)**

The following order of the court was passed by

**S.R. Nayak, CJ.**

The petitioners claiming to be *pro bono* public characters have filed this writ petition under Article 226 of the Constitution of India to espouse the cause of the public at large. We have read and re-read the averments made in the writ petition and if we may say so, the pleading is totally incomprehensive, as vague as it could be, scanty and not intelligible at all. Be that as it may, as we would understand after hearing the learned counsel for the petitioner, the crux of the allegation, it seems, is that the paddy collected by the officers involved in Decentralized Procurement Scheme in connivance with the contractors without sending the collected paddy to the godowns concerned, has been diverted for private profits resulting in rampant corruption. The petitioners so alleging have prayed for the following reliefs:-

"I. That, the Hon'ble Court may kindly be pleased to call the entire records relating to the case of the petitioners.

II. That, the Hon'ble Court may kindly direct to economic offence bureau to submit the detailed report about the investigation done till date.

III. That, the Hon'ble Court may kindly direct the respondents to inquire the whole matter through special officers.

IV. That, the Hon'ble Court may kindly be directed to respondent No. 1 to register criminal case against the persons who are involved in this matter.

V. That, the Hon'ble Court may kindly direct the respondent to complete the investigation within a specific period.

Vi. That, this Hon'ble Court may kindly be pleased to grant any other relief, looking to the facts and circumstances of the case.

Vii. Saddle the cost of the petition. "

The petitioners have not disclosed the names of the officers or names of the contractors who are indulging in corruptions and who are diverting the paddy without sending the same to the concerned godowns. The veracity of the facts stated by the petitioners in this writ petition cannot be verified by any rational means or technique and they are as vague as they could be. It is often said and reiterated by the Courts that a *pro bono* public character before approaching this Court under Article 226 of the Constitution of India to espouse a cause of the public with regard to a grievance, is required to make honest effort to ascertain necessary facts and lay the same before the Court for consideration. The role of a *pro bono* public character cannot be half-hearted or irresponsible. The laudable objective behind the P.I.L. could be frustrated if the Courts were to permit busy bodies or who come to this Court by way of P.I.L. seeking publicity through media or for any extraneous consideration. Before parting with this case, it needs to be noticed that though the petition completely lacks in material particulars and is incomprehensible, not at all verifiable, learned counsel for the petitioners without any justification went on making unfounded and baseless allegations of corruption against the unnamed officers taking the precious Court's time considerably and without any useful purpose. Therefore, the petitioner should be made accountable for this luxury. In this regard, in a recent judgment delivered in the case of **Mani Shanker Pandey Vs. Union of India & Others (W.P. NO. 2346 of 2005)**, we have highlighted on the accountability of those who file PILs and their counsel.

2. In the result and for the foregoing reasons, we dismiss this writ petition with exemplary costs quantified at Rs. 5,000/- payable within

two weeks to the High Court Legal Services committee. The High Court Legal Services committee shall report whether the petitioner has complied with the direction within the stipulated time or not, after two weeks.

**Sd/-**
**Chief Justice**

**Sd/-**
**Satish K. Agnihotri**
**Judge**